

United States Bankruptcy Court

Western District of Pennsylvania

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): MAGLEV, Inc.	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 25-1623540	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 1905 Technology Center 1100 Industry Road, Box 11 McKeesport, PA <div style="text-align: right;">ZIP Code 15132</div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right;">ZIP Code</div>
County of Residence or of the Principal Place of Business: Allegheny	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Chapter 11 Debtors Check one box: <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (<i>amount subject to adjustment on 4/01/13 and every three years thereafter</i>). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors <div style="display: flex; justify-content: space-between;"> <div><input checked="" type="checkbox"/> 1-49</div> <div><input type="checkbox"/> 50-99</div> <div><input type="checkbox"/> 100-199</div> <div><input type="checkbox"/> 200-999</div> <div><input type="checkbox"/> 1,000-5,000</div> <div><input type="checkbox"/> 5,001-10,000</div> <div><input type="checkbox"/> 10,001-25,000</div> <div><input type="checkbox"/> 25,001-50,000</div> <div><input type="checkbox"/> 50,001-100,000</div> <div><input type="checkbox"/> OVER 100,000</div> </div> Estimated Assets <div style="display: flex; justify-content: space-between;"> <div><input checked="" type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div> Estimated Liabilities <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div>	THIS SPACE IS FOR COURT USE ONLY
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Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

MAGLEV, Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

MAGLEV, Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Christopher M. Frye _____
Signature of Attorney for Debtor(s)

Christopher M. Frye 208402 _____
Printed Name of Attorney for Debtor(s)

Steidl & Steinberg _____
Firm Name

28th Floor - Gulf Tower
707 Grant Street
Pittsburgh, PA 15219-1908

Address

kenny.steinberg@steidl-steinberg.com
412-391-8000 Fax: 412-391-0221

Telephone Number

July 26, 2011

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Fred J. Gurney _____
Signature of Authorized Individual

Fred J. Gurney _____
Printed Name of Authorized Individual

President _____
Title of Authorized Individual

July 26, 2011

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

X _____

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

United States Bankruptcy Court
Western District of Pennsylvania

In re **MAGLEV, Inc.**

Debtor(s)

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Adams and Associates 55 Old Clairton Road Suite 206 Pittsburgh, PA 15236	Adams and Associates 55 Old Clairton Road Suite 206 Pittsburgh, PA 15236	Legal Fees		72,111.00
City of McKeesport 400 Fifth Avenue McKeesport, PA 15132	City of McKeesport 400 Fifth Avenue McKeesport, PA 15132	Business privilege tax		16,000.00
City of McKeesport Redevelopment Authority 400 Fifth Avenue McKeesport, PA 15132	City of McKeesport Redevelopment Authority 400 Fifth Avenue McKeesport, PA 15132			10,556.00
Donald Dunlevy 500 N. Third Street Harrisburg, PA 17101	Donald Dunlevy 500 N. Third Street Harrisburg, PA 17101	Loan for operating funds		21,573.00
Estate of Don Deer c/o Lisa Miki 9912 Sierra Vista Lane Knoxville, TN 37922	Estate of Don Deer c/o Lisa Miki 9912 Sierra Vista Lane Knoxville, TN 37922	Accrued former employee wages		47,510.00
Frank Clark 1792 Tragone Drive Pittsburgh, PA 15241	Frank Clark 1792 Tragone Drive Pittsburgh, PA 15241	accrued wages		155,397.00
Frank Clark 1792 Tragone Drive Pittsburgh, PA 15241	Frank Clark 1792 Tragone Drive Pittsburgh, PA 15241	loan for operating funds		5,795.00
Frank Young 270 Tast Drive Wendell, NC 27591	Frank Young 270 Tast Drive Wendell, NC 27591	Accrued former employee wages		21,849.00
Fred Gurney President of MAGLEV, Inc. PO Box 525 Murrysville, PA 15668	Fred Gurney President of MAGLEV, Inc. PO Box 525 Murrysville, PA 15668	loan for operating funds		71,054.00
Fred Gurney PO Box 525 Murrysville, PA 15668	Fred Gurney PO Box 525 Murrysville, PA 15668	accrued wages		285,395.00
Gary Reinert 2200 Spring Garden Avenue Pittsburgh, PA 15212	Gary Reinert 2200 Spring Garden Avenue Pittsburgh, PA 15212	Loan for operating funds		263,615.00

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Goff Backa Alfera & Company 3325 Saw Mill Run Blvd. Pittsburgh, PA 15227-2736	Goff Backa Alfera & Company 3325 Saw Mill Run Blvd. Pittsburgh, PA 15227-2736	accounting fees		24,000.00
Jay Weinberg 1229 Tynsfield Road Oakmont, PA 15139	Jay Weinberg 1229 Tynsfield Road Oakmont, PA 15139	Accrued wages		176,995.00
Joe Ciolette 684 Blue Ridge Drive Pittsburgh, PA 15239	Joe Ciolette 684 Blue Ridge Drive Pittsburgh, PA 15239	Accrued wages of former employee		30,835.00
Lehigh University 27 Memorial Drive West Bethlehem, PA 18015	Lehigh University 27 Memorial Drive West Bethlehem, PA 18015	Disputed debt	Disputed	52,500.00
Regional Industrial Development Corporation of Southwestern PA Suite 500 425 Sixth Avenue Pittsburgh, PA 15219-1822	Regional Industrial Development Corporation of Southwestern PA Suite 500 Pittsburgh, PA 15219-1822	Unpaid rent		310,911.00
Regional Industrial Development Corporation of Southwestern PA Suite 500 425 Sixth Avenue Pittsburgh, PA 15219-1822	Regional Industrial Development Corporation of Southwestern PA Suite 500 Pittsburgh, PA 15219-1822	real estate taxes paid by RIDC		43,000.00
Reinert Family Limited Partnership 2200 Spring Garden Avenue Pittsburgh, PA 15212	Reinert Family Limited Partnership 2200 Spring Garden Avenue Pittsburgh, PA 15212	Loan for operating funds		210,000.00
Rick Cessar 4251 Chembertin Court Allison Park, PA 15101	Rick Cessar 4251 Chembertin Court Allison Park, PA 15101	accrued compensation		30,000.00
United Steelworkers c/o Thomas Conway, Vice President Five Gateway Center Pittsburgh, PA 15222	United Steelworkers c/o Thomas Conway, Vice President Five Gateway Center Pittsburgh, PA 15222	Loan for operating funds		7,100.00

In re **MAGLEV, Inc.**

Debtor(s)

Case No. _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **July 26, 2011**

Signature **/s/ Fred J. Gurney**

Fred J. Gurney
President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

Adams and Associates
55 Old Clairton Road
Suite 206
Pittsburgh, PA 15236

City of McKeesport
Redevelopment Authority
400 Fifth Avenue
McKeesport, PA 15132

City of McKeesport
400 Fifth Avenue
McKeesport, PA 15132

Donald Dunlevy
500 N. Third Street
Harrisburg, PA 17101

Estate of Don Deer
c/o Lisa Miki
9912 Sierra Vista Lane
Knoxville, TN 37922

Frank Clark
1792 Tragone Drive
Pittsburgh, PA 15241

Frank Clark
1792 Tragone Drive
Pittsburgh, PA 15241

Frank Young
270 Tast Drive
Wendell, NC 27591

Fred Gurney
President of MAGLEV, Inc.
PO Box 525
Murrysville, PA 15668

Fred Gurney
PO Box 525
Murrysville, PA 15668

Gary Reinert
2200 Spring Garden Avenue
Pittsburgh, PA 15212

Goff Backa Alfera & Company
3325 Saw Mill Run Blvd.
Pittsburgh, PA 15227-2736

Internation Union of Operating Engineers
c/o James T. Kunz, Jr.
111 Zeta Drive
Pittsburgh, PA 15238

J. Michael McCague
Griffith, MCCague & Wallace, PC
The Gulf Tower, 38th Floor
707 Grant Street
Pittsburgh, PA 15219

Jay Weinberg
1229 Tynsfield Road
Oakmont, PA 15139

Joe Ciolette
684 Blue Ridge Drive
Pittsburgh, PA 15239

Lehigh University
27 Memorial Drive West
Bethlehem, PA 18015

Regional Industrial Development
Corporation of Southwestern PA
Suite 500
425 Sixth Avenue
Pittsburgh, PA 15219-1822

Regional Industrial Development
Corporation of Southwestern PA
Suite 500
425 Sixth Avenue
Pittsburgh, PA 15219-1822

Reinert Family Limited Partnership
2200 Spring Garden Avenue
Pittsburgh, PA 15212

Rick Cessar
4251 Chembertin Court
Allison Park, PA 15101

United Steelworkers
c/o Thomas Conway, Vice President
Five Gateway Center
Pittsburgh, PA 15222